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MS MISSING PARTS  
PATENT  
0459-0741PUS1

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Moth Sloth WEIDNER Conf.: 1184  
Appl. No.: 10/817,155 Group:  
Filed: April 2, 2004 Examiner:  
For: CHEMICAL COMPLEX COMPRISING A PYRIDINE  
CARBOXY DERIVATIVE AND AN H2 HISTAMINE  
RECEPTOR ANTAGONIST

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NON-PROVISIONAL APPLICATION**

MS MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

January 18, 2005

Sir:

The Notice to File Missing Parts dated June 18, 2004 required Applicant to submit an Oath/Declaration to perfect the filing of the application. The Oath/Declaration was required to comply with 37 CFR 1.63 and identify the application by application number and filing date. Applicant wishes to advise the United States Patent and Trademark Office that a proper Declaration was filed with the application on April 2, 2004. As evidence of Applicant's previous submission of a Declaration in connection with the present application, Applicant encloses a copy of the postcard indicating

Appl. No. 10/817,155

receipt of the Declaration by the United States Patent and Trademark Office.

Applicant would point out that the present application is a continuation application and, as such, Applicant submitted a copy of the declaration filed in the parent case as specifically permitted under 37 CFR 1.63(d)(1)(i). Accordingly, Applicant has not, and is not required to submit a new Oath/Declaration.

Reconsideration and removal of this requirement is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension

Respectfully submitted,

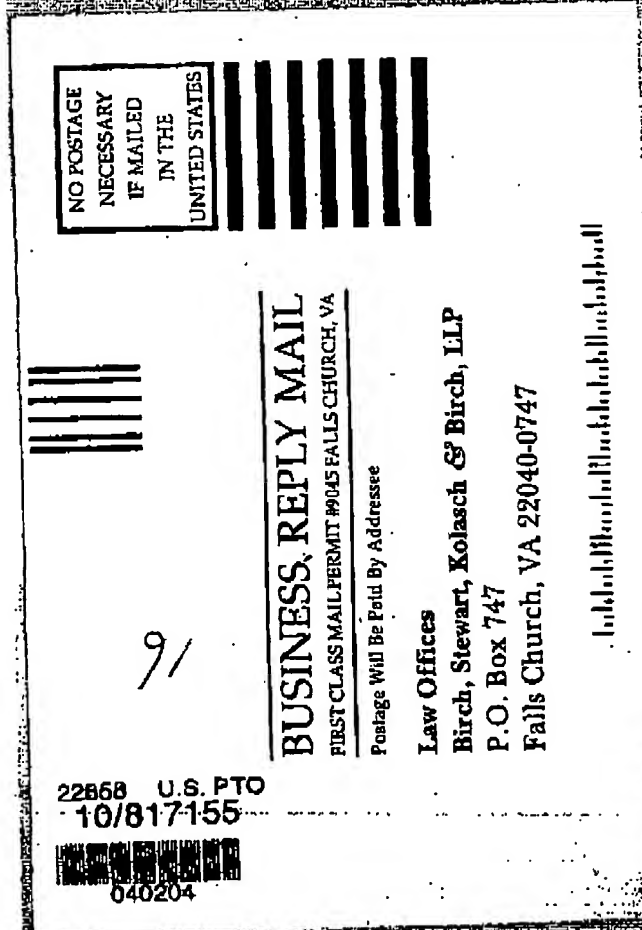
BIRCH, STEWART, KOLASCH & BIRCH, LLP

 # 46,183  
Leonard R. Svensson, #30,330

LRS/KR/sbp  
0459-0741PUS1

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachments: Copy of Postcard Receipt



Papers Filed herewith on: April 2, 2004  
 DOCKET NO.: 0459-0741PUS2 ATT.: LRS/KR  
 APPLICANT(S): WEIDNER  
 APPLN. NO.: NEW FILED: Apr. 2, 2004  
 PAT NO.:

- ☒ New Application with Transmittal Letter  
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional  
☒ Filing Under 37 CFR 1.53(b) ☒ CONT ☐ DIV  
☐ Filing Under 37 CFR 1.53(d) (CPA)  
☐ Filing Under 37 CFR 1.114 (RCE)  
☒ Specification Consisting of: 31 pages  
☒ Combined Declaration & Power of Attorney  
☐ Assignment / Cover Letter  
☐ Letter to Official Draftsman  
☐ Drawings      Sheets ☐ Formal ☐ Informal ☐ Red-Ink  
☐ Completion of Filing Requirements, PCT/DO/EO/905  
 or Formalities Letter and Executed Declaration  
☒ Priority Document(s) / Cover Letter, No. Doc.       
☐ Amendment:  
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity  
☐ Response  
☒ Information Disc. Simul. PTO-1449(s)      doc(s)  
☐ Notice of Appeal ☐ Appeal Brief  
☐ Issue Fee Transmittal ☐ Sequence Listing  
☐ FEES:  
☐ Letter:  
☒ Other: Express Mail Certificate  
EV 282058867 US

Receipt is hereby acknowledged of the papers filed as  
 indicated in connection with the above identified case.  
 COMMISSIONER OF PATENTS AND TRADEMARKS

Due Date:     

Handcarry:     

DOCKET NO. 0459-0741PUS2

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